

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Kenneth Edgar Fox,)	C/A No. 3:10-2199-CMC-PJG
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Rafael A. Douglas, and Officer Edgemon,)	
)	
Defendants.)	
)	

The plaintiff, who is self-represented, has filed this civil action seeking relief against the named defendants. Defendant Douglas filed a motion to dismiss on February 23, 2011 pursuant to the Federal Rules of Civil Procedure. (ECF No. 45.) As the plaintiff is proceeding *pro se*, the court entered an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on February 24, 2011, advising the plaintiff of the importance of a motion to dismiss and of the need for him to file an adequate response. (ECF No. 47.) The plaintiff was specifically advised that if he failed to respond adequately, the defendant's motion may be granted, thereby ending his case.

On March 10, 2011, Defendant Edgemon filed a motion to dismiss. (ECF No. 52.) The court entered a second order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975) on March 11, 2011, again advising the plaintiff of the importance of a motion to dismiss and of the need for him to file an adequate response. (ECF No. 53.)

Notwithstanding the specific warning and instructions set forth in the court's Roseboro orders, the plaintiff has failed to respond to the defendants' motions. As such, it appears to the court that he does not oppose the motions and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendants' motions to dismiss within fourteen (14) days from the date of this order. Plaintiff is further advised that if he fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

April 20, 2011
Columbia, South Carolina